

ORDER OF ST. JOHNS COUNTY BOARD OF  
COUNTY COMMISSIONERS OF  
ST. JOHNS COUNTY, FLORIDA

RE: James B. and Cleo Palmer  
1055 Cherry Tree Road  
St. Augustine, FL 32086

FILE NUMBER: E-94-035

ORDER GRANTING EXCEPTION

The above-referenced applicant requests an exception to placement of a second residence (mobile home) to be placed on a platted lot of 4.77 acres located at 1055 Cherry Tree Road, St. Augustine, FL 32085; zoned OR, further described as Unit 3, St. Augustine Heights Subdivision, St. Johns County, Florida. The applicant requests the second home for a family member residence. On July 7, 1994, the matter went before the Planning and Zoning Agency (PZA) for public hearing, and the PZA recommended approval of the exception with certain conditions. The matter came before the Board of County Commissioners on August 9, 1994 pursuant to Section 7-3 of the Zoning Code, which requires exceptions for the erection of more than one main use structure on a platted lot to be approved by the Board of County Commissioners.

FINDINGS OF FACT

Having considered the application and supporting documents, the planning staff report dated June 16, 1994, the PZA's order recommending approval of the exception dated July 12,

1994, and statements from the applicant, the Board of County Commissioners hereby makes the following findings of fact:

1. The requested Exception has been duly published and noticed in accordance with requirement of the Zoning Code;
2. The requested Exception is not in conflict with surrounding land uses and development;
3. The requested Exception for the placement of more than one main use structure on a lot meets the criteria of Section 7-3, Zoning Code;
4. The request is not in conflict with the County's Comprehensive Plan as to intensity and density of "C" classification.
5. The requested Exception to add an additional family unit is consistent with current zoning and comprehensive plan provisions and since the property was platted in 1958 the lot could be divided without violating subdivision regulations and a dwelling unit added without need for an Exception.
6. The request for an Exception is not detrimental to the health, safety or welfare of residents or workers in the area.

ACCORDINGLY, the Board of County Commissioners hereby grants exception E-94-035, which allows the placement of a mobile home on the subject premises subject to the following conditions:

1. The mobile home shall be skirted within 30 days of occupancy;

2. Use of the mobile home shall be limited to the applicant's family only and shall be nonrental; and

3. The exception is nontransferable, and shall not pass with the sale of the land.

An appeal of this decision may be made by filing a petition for writ certiorari with the Clerk of the Circuit Court of St. Johns County within 30 days of this Order being filed with the Clerk.

DATE OF COMMISSION ACTION: August 9, 1994.

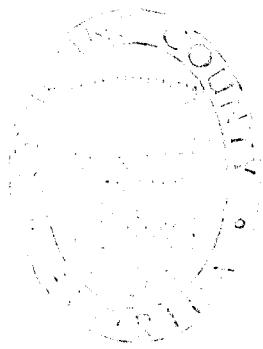
BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Delean Roberts  
Its Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: Yvonne Carter  
Deputy Clerk

cc: Planning and Zoning Agency  
James and Cleo Palmer



(08/09/94 - 10 - 3.1313)

PUBLIC HEARING - ORDER - EXCEPTION - E-94-035 - JAMES D. AND CLEO PALMER. THE REQUEST FOR ZONING EXCEPTION IS TO ALLOW THE PLACEMENT OF A SECOND DWELLING UNIT (MOBILE HOME) ON A 4.77 ACRE PARCEL OF LAND, WHICH IS A PLATTED LOT, FOR OCCUPANCY BY THE APPLICANT'S DAUGHTER. THE PROPERTY IS LOCATED AT 1055 CHERRY TREE ROAD, TRACT 96, UNIT 3, ST. AUGUSTINE HEIGHTS SUBDIVISION WHICH WAS RECORDED IN 1958. THE SURROUNDING ZONING INCLUDES OR, PUD, AND PSD, AND IS LOCATED IN A "C" RESIDENTIAL CLASSIFICATION ON ST. JOHNS COUNTY FUTURE LAND USE MAP. ON JULY 7, THE PLANNING AND ZONING AGENCY CONSIDERED THE REQUEST AND BY UNANIMOUS VOTE RECOMMENDED APPROVAL SUBJECT TO THE MOBILE HOME BEING SKIRTED WITHIN THIRTY DAYS OF OCCUPANCY, NON-RENTAL, FAMILY USE ONLY, NON-TRANSFERABLE AND COMPLIANCE WITH HEALTH DEPARTMENT AND PUBLIC WORKS DEPARTMENT REQUIREMENTS OF STAFF REPORT OF JUNE 16, 1994

Proof of publication of the notice of public hearing on zoning exception E-94-035 was received having been published in The St. Augustine Record on June 15, 1994.

Jerry Napier presented the request of James Palmer to place a second dwelling unit on a 4.7 acre lot at 1055 Cherry Tree Road. Motion by Brinkhoff, seconded by Ward, carried 6/0 with Floyd out for this vote, to adopt the order of the Board of County Commissioners, approving the exception request, and adopting the findings of fact 1-6 to support the motion on page 2.